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Attorneys for Non-Parties
SANDSTONE GROUP, LLC,
TYTO LIDAR, LLC, and
OGNEN STOJANOVSKI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF ADRIAN J.
SAWYER IN SUPPORT OF WAYMO
LLC'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL PORTIONS
OF ITS MOTION TO COMPEL WITH
RESPECT TO ITS SECOND
SUBPOENA SERVED ON NON-
PARTY ANTHONY LEVANDOWSKI**

1 I, Adrian J. Sawyer, hereby declare as follows:

2 I am an attorney licensed to practice before all courts of the State of California. I am a
3 partner in the law firm of Kerr & Wagstaffe LLP, attorneys for non-parties Sandstone Group,
4 LLC, Tyto LiDAR, LLC, and Ognen Stojanovski. I have personal knowledge of the matters
5 stated herein and if called upon would testify competently thereto.

6 1. I make this declaration in support of Waymo's Administrative Motion to File
7 Under Seal Portions of its Motion to Compel With Respect to Its Second Subpoena Served on
8 Non-Party Anthony Levandowski, (Dkt. 1085). I have reviewed the Administrative Motion to
9 File Under Seal (the "Administrative Motion"), together with Waymo's Motion to Compel With
10 Respect to Its Second Subpoena to Anthony Levandowski (the "Motion to Compel") (Dkt. 1085-
11 3), and those exhibits to the Motion to Compel sought to be filed under seal.

12 2. Tyto LiDAR and Sandstone Group are non-parties and are existing limited
13 liability companies. Mr. Stojanovski is likewise a non-party. All information designated by
14 Tyto LiDAR, Sandstone, or Mr. Stojanovski and included in the Motion to Compel was
15 designated confidential; none was designated highly confidential/AEO by Tyto LiDAR,
16 Sandstone, or Mr. Stojanovski.

17 3. The yellow highlighted portions of the Motion to Compel contain confidential
18 business information pertaining to non-parties Sandstone Group, LLC, Tyto LiDAR, LLC. In
19 particular, the yellow highlighted portions reference confidential information about the
20 ownership and financing of those non-parties, as well as certain confidential operational
21 information. They also reference confidential information regarding other companies who have
22 their own privacy interests relating to their ongoing business operations. Sandstone Group and
23 Tyto LiDAR make this declaration to protect their and their owners' confidentiality interests in
24 ownership, operations, and financial affairs.

25 4. Exhibits 3 and 4 to the Motion to Compel are a Subpoena to Produce Documents
26 in this action, and the Objections and Responses to that subpoena. The document requests
27 attached to the subpoena necessarily refer to confidential information regarding non-party
28 Sandstone Group's ownership and business organization, and contain the same private business

1 information sought to be sealed in the Motion to Compel itself. The Objections and Responses
2 repeat the requests in the subpoena, and are confidential for the same reasons as the requests in
3 the subpoena itself.

4 5. Exhibit 7 to the Motion to Compel consists of two separate documents combined.
5 The first document, labeled SANDSTONE 000001-000002, Sandstone Group's Articles of
6 Organization, has been publicly filed with the Secretary of State. Sandstone does not contend
7 that it is confidential, and will remove the confidentiality designation in the footer. The second
8 document, SANDSTONE 000003-000007, is the Operating Agreement of Sandstone Group,
9 LLC. It has not been filed with the Secretary of State and remains confidential. The Operating
10 Agreement contains confidential information regarding Sandstone Group's ownership,
11 operations, and finances. Sandstone Group is a non-party and private company and as such is
12 entitled to confidentiality in its ownership, operations, and finances.

13 6. Exhibit 8 to the Motion to Compel consists of portions of the deposition of Ognen
14 Stojanovski, taken in this action. The yellow highlighted portions of Exhibit 8 reflect
15 confidential information regarding the ownership and structure of Sandstone Group, financing of
16 Sandstone Group, the ownership of Tyto LiDAR, and the financing of Tyto LiDAR. As with the
17 information highlighted in the Motion to Compel itself, Sandstone and Tyto request that their
18 confidentiality interests in this ownership and financing information be respected in this
19 proceeding.

20 7. Exhibits 9 and 10 to the Motion to Compel reflect confidential operational
21 information of Tyto LiDAR, namely equipment purchases.

22 8. Exhibit 12 to the Motion to Compel contains a Secondment Agreement for a
23 former secondee of Tyto LiDAR. As such, the exhibit reflects not only Tyto LiDAR's
24 confidential operational information but also the former secondee's confidential information
25 regarding his work arrangements. Tyto therefore makes this declaration to protect its own
26 confidentiality interests as a non-party to this litigation and to protect its former secondee's
27 personal information, of which Tyto has custody.

28

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 8th day of August, 2017 at San Francisco, California.

/s/ Adrian J. Sawyer
Adrian J. Sawyer